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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 LOS ANGELES WATERKEEPER, a
13 California non-profit corporation;

14 Plaintiff,

15 vs.

16 ESTES EXPRESS LINES, INC., a
17 Maryland corporation,

18 Defendant.

Case No.: 2:22-cv-07537-MWF-MAR

19 **NOTICE OF LODGING OF**
20 **[PROPOSED] CONSENT DECREE;**
21 **REQUEST FOR ENTRY OF**
22 **[PROPOSED] CONSENT DECREE**

1 WHEREAS, on December 16, 2022, LOS ANGELES WATERKEEPER
2 (“Plaintiff”) and Defendant ESTES EXPRESS LINES, INC. (“Defendant”)
3 (collectively, “the Parties”) agreed on a tentative settlement resolving the issues raised
4 in Plaintiffs’ complaint; and

5 WHEREAS, on December 19, 2022, Plaintiff filed a Notice of Tentative
6 Settlement and requested the Court not sign the Consent Decree until a mandatory
7 period for comment by the United States had passed pursuant to United States Code,
8 title 33, section 1365(c)(3) and Code of Federal Regulations, title 40, section 135.5
9 (ECF #16); and

10 WHEREAS, on December 28, 2022, Plaintiff filed a Notice of Commencement
11 of 45-Day Review Period, which advised the Court that the United States had
12 acknowledged receipt of the Consent Decree and would notify the Court of any
13 objections to the Consent Decree, (ECF #18); and

14 WHEREAS, on January 31, 2023, the United States Department of Justice
15 notified Plaintiff via electronic mail that the United States does not object to the Court’s
16 entry of the Consent Decree into judgment; as the Agencies have indicated that they
17 have no objection to entry, the Court may now enter the [Proposed] Consent Decree,
18 which includes a request that the Court retain jurisdiction to enforce the terms of the
19 [Proposed] Consent Decree if necessary.

20 WHEREAS, on January 31, 2023, Plaintiff submitted a [Proposed] Consent
21 Decree to the Court for approval and entry.

22 THEREFORE, Plaintiff hereby requests the Court sign the [Proposed] Consent
23 Decree, a true and correct copy of which is attached to this Notice of Lodging as
24 “Exhibit 1,” and enter the Consent Decree as judgment.

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26 DATED: January 31, 2023
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/s/Anthony M. Barnes
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LOS ANGELES WATERKEEPER